television channel, adding the internet channel, removing the television channel, and removing the internet channel.

REMARKS

Applicant has reviewed and considered the Office Action mailed on July 5, 2001, and the references cited therewith. Claims 1, 6, 11, 13-15, 17, 19, and 20 are amended, and claims 10 and 12 are canceled without prejudice or disclaimer. No new matter has been added by these amendments. Claims 1-9, 11, and 13-20 are pending. Applicant respectfully requests reconsideration and allowance of all claims in view of the amendments above and the remarks below.

Claims 1-20 were rejected under 35 USC 102(e) as being anticipated by Shoff (U.S. 6,240,555). Applicant does not admit that Shoff is prior art and reserves the right to swear behind it at a later date. Nevertheless, Applicant respectfully submits that the claims are patentable over Shoff for the reasons argued below.

Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration. *In re Dillon* 919 F.2d 688, 16 USPQ 2d 1897, 1908 (Fed. Cir. 1990) (en banc), *cert. denied*, 500 U.S. 904 (1991). It is not enough, however, that the prior art reference discloses all the claimed elements in isolation. Rather, "[a]nticipation requires the presence in a single prior reference disclosure of each and every element of the claimed invention, *arranged as in the claim.*" *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)) (emphasis added).

Applicant respectfully submits that the Shoff reference does not teach each and every element of Applicant's claimed invention, arranged as in the claims.

Claim 1 recites: "wherein the graphical user interface...is further configured to provide at least one management function selected from a group consisting of: adding the television channel, adding the internet channel, removing the television channel, and removing the internet channel." Thus, claim 1 recites that a user interface allows television or internet channels to be added or removed.

Shoff does not teach or suggest that a user is given the capability to add or remove television or internet channels, as recited in claim 1. Instead, the soft buttons (212-221) of Shoff only allow "calling up related TV shows and movies," "selection of one of two levels of interactivity," "selection of different types of supplemental content," and leaving "the interactive mode and return[ing] to a full-screen display." *Shoff at column 11, lines 1-47.*

Instead of the user interface providing at least one management function as required in claim 1, the Shoff content developer has control. Shoff recites:

> The system and method for presenting interactive entertainment programs is advantageous as it returns the freedom of creativity to the content developer. *Shoff at column 12, lines 24-26 (emphasis added).*

> [T]he developer is empowered to create both the content and the presentation format of how the content and broadcast program are displayed to the viewer. *Shoff at column 12, lines 28-30).*

> The creative power is thus placed in the hands of the target resource author. *Shoff at column 12, lines 39-40.*

> To control how the content is to be rendered, the author encodes the presentation format and timing instructions as extension attributes to hyperlink codes. More specifically, hypermedia content utilized by the WWW is commonly written using what is referred to as a "markup language." "SGML" (Standard Generalized Markup Language) is one such language. *Shoff at column 12, lines 50-55 (emphasis added).*

Thus, Shoff draws a distinction between the developer/author and the viewer. The Shoff developer "is free to control the ... presentation format" that is displayed to the viewer, and the

developer does so by encoding instructions in a computer "markup language", but the Shoff user

has no such power. Thus, Shoff does not teach or suggest "wherein the graphical user

interface...is further configured to provide at least one management function selected from a

group consisting of: adding the television channel, adding the internet channel, removing the

television channel, and removing the internet channel," as recited in claim 1.

Claims 6, 15, 17, 19, and 20 contain similar elements as claim 1 and are patentable over

Shoff for similar reasons. Claims 2-5, 7-9, 11, 13-14, 16, and 18 are dependent on claims 1, 6,

15, and 17, respectively, and are patentable over Shoff for the reasons argued above.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and

notification to that effect is earnestly requested. The Examiner is invited to telephone

Applicant's attorney (612-371-2103) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account

No. 50-0439.

Respectfully submitted,

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